IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SECOND DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE M.H.S. ANSARI

and
THE HON'BLE MR JUSTICE T.CH.SURYA RAO

WRIT PETITION NO : 2290 of 2005

Between:

Sudha Lakshminaryana, W/o. Lakshminaryana,
R/o. D.No. 1-4-880/2/14, Domalguda, Hyderabad - 500 029,

.... PETITIONER

AND

M.C.H. Rep. by its Commissioner, Tank Bund Road, Hyderabad - 500 029.

...RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue WRIT, ORDER and DIRECTION more particularly in the nature of WRIT OF MANDAMUS, directing the respondent to consider representations dated 25-11-2002, 18-1-2003 and 8-9-2004 of the petitioner herein and pass order on his representations, and pass such further or other orders as may be deemed fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.M.LAKSHMANA SARMA

Counsel for the Respondent: MR.RAMA RAO GHANTA

The Court made the following :

ORDER: ***(Per Hon'ble Sri Justice M.H.S.Ansari)***

Having heard learned counsel for the petitioner and also having perused the averments in the writ petition and annexures, we are of the view that no case has been made out for entertaining the writ petition or for issuing directions as prayed for.

2. The grievance of the petitioner appears to be that in the locality where the house of the petitioner is situated, others are paying tax at the rate lower than what has been assessed to the petitioner's house as property tax. Petitioner's house property has been assessed to tax of Rs.14026/-, whereas according to the petitioner, others are paying tax in the range of Rs.2000/-. It is not disputed by the petitioner that the property owned by the petitioner has been let out on rent of Rs.10,000/- per month. In the circumstances, it cannot be said that the assessment is either erroneous or contrary to law, nor has any allegation been made to that effect, much less to substantiate the same. The contention of the petitioner that the assessment to property tax must be done uniformly for all in the locality cannot be sustained in the light of the provisions relating to assessment of property tax based on annual rental value.

3. The writ petition is accordingly dismissed at the admission stage. No order as to costs.

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M.H.S.ANSARI, J

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T.CH.SURYA RAO, J

Dated: 22.02.2005

RAR

To

The Commissioner, Municipal Corporation of Hyderabad, Tank Bund Road,
Hyderabad - 500 029.

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